

AMENDMENT AFTER NON-FINAL ACTION

Appln. No. 10/686,353

Docket No. 066491-00007

**AMENDMENTS TO THE CLAIMS**

Please amend the claims in accordance with the changes indicated in the complete listing of claims that follows, which shall replace all prior versions of the claims in the application.

1. **(Previously Presented)** An insole comprising: an insole material; a first elastomeric pad attached to the insole material and positioned to contact a metatarsus section of a foot, said first elastomeric pad having a hardness with a durometer range of 30 to 70, Shore Hardness (00) scale; a second elastomeric pad attached to the insole material and positioned to contact a heel portion of a foot, said second elastomeric pad having a hardness with a durometer range of 20 to 70, Shore Hardness (00) scale; the first and second pads being horizontally distinct from one another; and the first and second pads each having a rebound property, the rebound of the first pad differing from the rebound of the second pad.

2. **(Previously Presented)** The insole of claim 1 wherein the first pad elastomer has a rebound ranging from 5.0% to 90.0%.

3. **(Previously Presented)** The insole of claim 2 wherein the second pad elastomer has a rebound ranging from 1.0% to 40.0%.

4-7. **(Cancelled)**

8. **(Previously Presented)** The insole of claim 1 wherein the first pad elastomer has a hardness with a durometer range of 35 to 70, Shore Hardness (00) scale.

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9. **(Previously Presented)** The insole of claim 8 wherein the second pad elastomer has a hardness with a durometer range of 20 to 55, Shore Hardness (00) scale.

10. **(Cancelled)**

11. **(Previously Presented)** The insole of claim 3 wherein the first pad rebound is greater than the second pad rebound.

12-16. **(Cancelled)**

17. **(Previously Presented)** The insole of claim 11 wherein the first pad has a hardness with a durometer range of 35 to 70, Shore Hardness (00) scale.

18. **(Previously Presented)** The insole of claim 17 wherein the second pad has a hardness with a durometer range of 20 to 55, Shore Hardness (00) scale.

19. **(Original)** The insole of claim 1 wherein the insole has a lower surface and at least a portion of at least one of the pads forms part of the lower surface of the insole.

20. **(Original)** The insole of claim 1 wherein the insole has an upper surface and at least a portion of at least one of the pads forms part of the upper surface of the insole.

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21. **(Original)** The insole of claim 1 wherein the insole has an upper surface and a lower surface and at least one of the pads extends from the upper surface of the insole to the lower surface of the insole.

22. **(Original)** The insole of claim 1 wherein the insole has an upper surface and a lower surface and at least one of the pads is disposed between the upper and lower surfaces of the insole.

23. **(Original)** The insole of claim 1 wherein the insole includes at least two layers and at least a portion of a pad is disposed between the upper and lower layers.

24. **(Previously Presented)** The insole of claim 1 wherein at least one of the first and second pads comprises a gel.

25. **(Original)** The insole of claim 1 wherein the first and second pads are carried by a carrier.

26. **(Original)** The insole of claim 25 wherein the carrier is at least partially formed of a material selected from a group consisting of a gel, a foam, an elastomer, leather and cloth.

27. **(Previously Presented)** A shoe sole comprising: a shoe sole material; a first elastomeric pad positioned in the sole material in an area corresponding to a metatarsus section of a foot, the first elastomeric pad having a hardness with a durometer range of 30 to 70, Shore Hardness (00) scale; a second elastomeric pad positioned in the sole material in an area corresponding to a heel section of a foot, the second elastomeric pad having a hardness with a durometer range of 20 to 70, Shore Hardness (00) scale; the first and second pads being horizontally distinct from one

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another; and the first and second pads each having a rebound property, the rebound of the first pad differing from the rebound of the second pad.

28-31. **(Cancelled)**

32. **(Previously Presented)** The sole of claim 31 wherein the first pad has a rebound ranging from 5.0% to 90.0%.

33. **(Previously Presented)** The sole of claim 32 wherein the second pad has a rebound ranging from 1.0% to 40.0%.

34. **(Previously Presented)** The insole of claim 1 wherein the insole material is a composite material.

35. **(Previously Presented)** The sole of claim 27 wherein the shoe sole material is a composite material.

36. **(Cancelled)**

37. **(Previously Presented)** The sole of claim 27 wherein the first pad rebound is greater than the second pad rebound.

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38. **(Previously Presented)** The sole of claim 27 wherein the first pad has a hardness with a durometer range of 35 to 70, Shore Hardness (00) scale.

39. **(Previously Presented)** The sole of claim 38 wherein the second pad has a hardness with a durometer range of 20 to 55, Shore Hardness (00) scale.

40. **(Currently Amended)** The ~~shoe~~ sole of claim 37 wherein the first pad elastomer has a hardness with a durometer range of 35 to 70, Shore Hardness (00) scale.

41. **(Currently Amended)** The ~~shoe~~ sole of claim 40 wherein the ~~first~~ second pad elastomer has a hardness with a durometer range of 20 to 55, Shore Hardness (00) scale.